

### **39A.350 Definitions for KRS 39A.350 to 39A.366.**

As used in KRS 39A.350 to 39A.366:

- (1) "Disaster relief organization" means an entity that provides emergency or disaster relief services that include health services provided by volunteer health practitioners and that:
  - (a) Is designated or recognized as a provider of those services pursuant to a disaster response and recovery plan adopted by an agency of the federal government or the Kentucky Division of Emergency Management; or
  - (b) Regularly plans and conducts its activities in coordination with an agency of the federal government or the Kentucky Division of Emergency Management;
- (2) "Emergency" has the same meaning as used in KRS 39A.020;
- (3) "Emergency declaration" has the same meaning as "declared emergency" as used in KRS 39A.020;
- (4) "Emergency Management Assistance Compact" means the interstate compact established under KRS 39A.950;
- (5) "Health facility" has the same meaning as used in KRS 216B.015;
- (6) "Health practitioner" means an individual licensed under the laws of this or another state to provide health services;
- (7) "Health services" means:
  - (a) The provision of treatment, care, advice or guidance, other services, or supplies related to the health or death of individuals or human populations, to the extent necessary to respond to an emergency, including:
    1. The following, concerning the physical or mental condition or functional status of an individual or affecting the structure or function of the body:
      - a. Preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care; and
      - b. Counseling, assessment, procedures, or other services;
    2. Sale or dispensing of a drug, a device, equipment, or another item to an individual in accordance with a prescription; and
    3. Funeral, cremation, cemetery, or other mortuary services; or
  - (b) The provision of treatment, care, advice or guidance, other services, or supplies related to the health or death of an animal or to animal populations, to the extent necessary to respond to an emergency, including:
    1. Diagnosis, treatment, or prevention of an animal disease, injury, or other physical or mental condition by the prescription, administration, or dispensing of vaccine, medicine, surgery, or therapy;
    2. Use of a procedure for reproductive management; and
    3. Monitoring and treatment of animal populations for diseases that have spread or demonstrate the potential to spread to humans;
- (8) "Host entity" means an entity operating in this state which uses volunteer health practitioners to respond to an emergency;

- (9) "License" means authorization by a state to engage in health services that are unlawful without the authorization. The term includes authorization under the laws of this state to an individual to provide health services based upon a national certification issued by a public or private entity;
- (10) "Scope of practice" means the extent of the authorization to provide health services granted to a health practitioner by a license issued to the practitioner in the state in which the principal part of the practitioner's services are rendered, including any conditions imposed by the licensing authority; and
- (11) "Voluntary health practitioner" means a health practitioner who provides health services, whether or not the practitioner receives compensation for those services. The term does not include a practitioner who receives compensation pursuant to a preexisting employment relationship with a host entity or affiliate which requires the practitioner to provide health services in this state, unless the practitioner is not a resident of this state and is employed by a disaster relief organization providing services in this state while an emergency declaration is in effect.

**Effective:** June 26, 2007

**History:** Created 2007 Ky. Acts ch. 96, sec. 1, effective June 26, 2007.

**Legislative Research Commission Note** (6/26/2007) 2007 Ky. Acts ch. 96 (2007 House Bill 287) "established" KRS Chapter 39G and created new sections thereof. However, at the time that House Bill 287 was enacted another KRS Chapter 39G was already in existence. The Reviser of Statutes determined that the newly created sections would be more appropriately placed in KRS Chapter 39A and has placed Sections 1 to 9 of Acts ch. 96 within KRS Chapter 39A, under the authority of KRS 7.136(1)(a).